

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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JOSEPH WALLS, ET AL.,	:	CASE NO. 1:15-CV-00564
Plaintiffs,	:	
v.	:	OPINION & ORDER
	:	[Resolving Doc. <a href="#">38</a> ]
HOST INTERNATIONAL, INC., ET AL.,	:	
Defendants.	:	
	:	

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JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

In this case, Plaintiffs Joseph Walls, Dawn Stiger, David Hill, and Melinda Sexton seek to recover unpaid overtime wages they are allegedly owed.<sup>1/</sup> Defendants Host International, Inc., and HMS Host Tollroads, Inc., move the Court to sever Plaintiffs' claims for trial.<sup>2/</sup> For the following reasons, the Court **DENIES** Defendants' motion.

Federal Rule of Civil Procedure 42(b) authorizes a court to conduct separate trials of particular issues and claims, “[f]or convenience, to avoid prejudice, or to expedite and economize.”<sup>3/</sup> Trial courts have discretion over granting Rule 42(b) motions.<sup>4/</sup>

On August 4, 2015, this Court denied a similar motion to sever and dismiss in this case.<sup>5/</sup> Since that ruling there has been no new discovery which would change the Court's analysis. Plaintiffs' FLSA claims share many factual and legal issues. Given the similarities, it would be efficient and economical to try the cases together, and doing so would have little risk of prejudicing

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<sup>1/</sup>Doc. [18](#).

<sup>2/</sup>Doc. [38](#). Plaintiffs oppose. Doc. [39](#).

<sup>3/</sup>[Fed. R. Civ. P. 42\(b\)](#).

<sup>4/</sup>See [Saxion v. Titan-C-Mfg., Inc.](#), 86 F.3d 553, 556 (6th Cir. 1996).

<sup>5/</sup>Doc. [20](#).

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Defendants.

For the foregoing reasons, the Court **DENIES** Defendants' motion to sever Plaintiffs' claims.

IT IS SO ORDERED.

Dated: November 24, 2015

s/ James S. Gwin

JAMES S. GWIN

UNITED STATES DISTRICT JUDGE